

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DYLAN THOMAS,

Plaintiff,

vs.

LINCOLN REGIONAL CENTER  
STAFF MEMBERS, ARTURO, from  
Homeland Security; and DR. NAJEEB,

Defendants.

**8:21CV368**

**MEMORANDUM  
AND ORDER**

This matter is before the court on Plaintiff's Filing 18, in which he requests that no further filing fee installment payments be collected because he is currently confined at the Lincoln Regional Center after being "found not responsible by reasons of insanity and mental defects."

While Plaintiff is correct that an inmate in a state mental institution who has been committed after being found not guilty of a criminal charge by reason of insanity is not "prisoner" who is subject to the Prison Litigation Reform Act's inmate-account procedures, *see Kolocotronis v. Morgan*, 247 F.3d 726 (8th Cir. 2001), the court is unable to confirm Plaintiff's alleged status as a non-prisoner. The state's online database (<https://www.nebraska.gov/justice/case.cgi>) indicates that criminal charges against Plaintiff remain pending in the District Court of Douglas County, Nebraska, in Case No. CR20-2652.

Thus, Plaintiff will need to provide the court with satisfactory proof that he is no longer a prisoner before the collection of filing fee installment payments can be discontinued.

**IT IS THEREFORE ORDERED:**

1. Plaintiff's motion to stop collection of fees (Filing 18) is denied without prejudice to refiling.

2. The clerk of the court is directed to update Plaintiff's address and to provide a copy of this Memorandum and Order to the appropriate official at the Lincoln Regional Center.

Dated this 20th day of October, 2022.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge